



2676  
PATENT 41

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/039,331  
Applicant : William B. Noble et al.  
Filed : November 7, 2001  
T.C./A.U. : 2676  
Examiner : Tam D. Tran

Confirmation No.: 1499

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OCT 14 2004

Technology Center 2000

Docket No. : RTN-139PUS  
Customer No. : 022494

Certificate of Mailing (37 C.F.R. 1.8(a))

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Oct 6, 2004  
Date of Signature  
and Mail Deposit

By: Kermit Robinson  
Kermit Robinson  
Reg. No. 48,734

AMENDMENT

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Official Action dated July 16, 2004, please consider the following remarks.

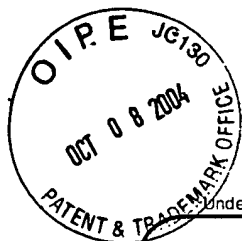
**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 11 of this paper.

10/12/2004 CCHAUI 00000030 10039331

01 FC:1202  
02 FC:1201

180.00 OP  
264.00 OP



PTO/SB/21 (modified) (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|   |                      |                        |            |
|---|----------------------|------------------------|------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number   | 10/039,331             |            |
|   | Filing Date          | November 7, 2001       |            |
|   | First Named Inventor | William B. Noble       |            |
|   | Art Unit             | 2676                   |            |
|   | Examiner Name        | Tam D. Tran            |            |
| Total Number of Pages in This Submission  | 26                   | Attorney Docket Number | RTN-139PHS |

REC  
OCT 14 2004  
Technology Center

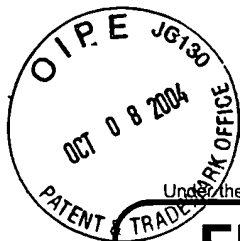
| ENCLOSURES (Check all that apply)  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                     | <input type="checkbox"/> Assignment Papers (for an Application)  | <input type="checkbox"/> After Allowance communication to Technology Center (TC)        |
| <input checked="" type="checkbox"/> Fee Attached                             | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment/Reply                          | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition  | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Petition to Convert to a Provisional Application  | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer   | Return Postcard   |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund  |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s) _____   |   |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    |  |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | Remarks<br>In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension. |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | Kermit Robinson Reg. No. 48,734<br>Daly, Crowley & Mofford, LLP |
| Signature                                  |   |
| Date                                       | Oct 6, 2004   |

| CERTIFICATE OF TRANSMISSION/MAILING  |                 |
|--|-----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                 |
| Typed or printed name  | Kermit Robinson |
| Signature  |                 |
| Date   | Oct 6, 2004     |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-04)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$) **444****Complete if Known**

|                      |                  |
|----------------------|------------------|
| Application Number   | 10/039,331       |
| Filing Date          | November 7, 2001 |
| First Named Inventor | William B. Noble |
| Examiner Name        | Tam D. Tran      |
| Art Unit             | 2676             |
| Attorney Docket No.  | PTN-130RUS       |

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

50-0845

Daly, Crowley &amp; Mofford, LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 790      | 2001         | 395      | Utility filing fee     |          |
| 1002         | 350      | 2002         | 175      | Design filing fee      |          |
| 1003         | 550      | 2003         | 275      | Plant filing fee       |          |
| 1004         | 790      | 2004         | 395      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | 0        |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims       |    | Extra Claims |            | Fee from below |    | Fee Paid |
|--------------------|----|--------------|------------|----------------|----|----------|
|                    |    |              |            |                |    |          |
| Total Claims       | 37 | 27           | -20** = 10 | X              | 18 | 180      |
| Independent Claims | 6  | 3            | -3** = 3   | X              | 88 | 264      |
| Multiple Dependent |    |              |            |                |    |          |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 88       | 2201         | 44       | Independent claims in excess of 3                          |
| 1203         | 300      | 2203         | 150      | Multiple dependent claim, if not paid                      |
| 1204         | 88       | 2204         | 44       | ** Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) **444**

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
| 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053     | 130      | 1053     | 130      | Non-English specification  |          |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251     | 110      | 2251     | 55       | Extension for reply within first month                                     |          |
| 1252     | 430      | 2252     | 215      | Extension for reply within second month                                    |          |
| 1253     | 980      | 2253     | 490      | Extension for reply within third month                                     |          |
| 1254     | 1,530    | 2254     | 765      | Extension for reply within fourth month                                    |          |
| 1255     | 2,080    | 2255     | 1,040    | Extension for reply within fifth month                                     |          |
| 1401     | 340      | 2401     | 170      | Notice of Appeal   |          |
| 1402     | 340      | 2402     | 170      | Filing a brief in support of an appeal                                     |          |
| 1403     | 300      | 2403     | 150      | Request for oral hearing   |          |
| 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452     | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453     | 1,370    | 2453     | 685      | Petition to revive - unintentional   |          |
| 1501     | 1,370    | 2501     | 685      | Utility issue fee (or reissue)   |          |
| 1502     | 490      | 2502     | 245      | Design issue fee   |          |
| 1503     | 660      | 2503     | 330      | Plant issue fee  |          |
| 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807     | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809     | 790      | 2809     | 395      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810     | 790      | 2810     | 395      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801     | 790      | 2801     | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **0****SUBMITTED BY**

(Complete if applicable)

|                   |                 |                                   |             |           |                      |
|-------------------|-----------------|-----------------------------------|-------------|-----------|----------------------|
| Name (Print/Type) | Kermit Robinson | Registration No. (Attorney/Agent) | 48,734      | Telephone | 781.401.9988 ext. 24 |
| Signature         |                 | Date                              | Oct 6, 2004 |           |                      |

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